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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,751	02/03/2004	Norihito Hatakeda	Q79547	8924
23373	7590	08/01/2007	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			JANKUS, ALMIS R	
ART UNIT	PAPER NUMBER			
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/769,751	HATAKEDA, NORIHIITO
Examiner	Art Unit	
Almis R. Jankus	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 5/07/07.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/31/07.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) Notice of Informal Patent Application
6) Other: _____

DETAILED ACTION

1. Claims 1-15 are presented for examination.
2. The indicated allowability of claims 4 and 5 is withdrawn in view of the newly discovered reference(s) to Torborg et al. Rejections based on the newly cited reference(s) follow.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Torborg et al.

With respect to claim 1, Torborg et al. teach the claimed display image generating means for generating display image data to be displayed on a screen based on information on at least one three-dimensional object disposed in a three-dimensional space and information on a viewpoint position, at page 359, at **Objects and Image Layers** with "As in a traditional 3D graphics system, objects are placed in the virtual

environment by the application specifying their position, orientation, and scale relative to the coordinate system of the virtual environment. The transform engine uses this information, in conjunction with the viewpoint specification to construct the synthetic scene"; image area identification data storage means for storing image area identification data that, of said display image data, specifically identifies an image area corresponding to said three-dimensional object, at **Primitive Rendering** with "The Talisman software provides the capability to render independent triangles, meshed triangles (strips and fans); lines, and points. All of these primitives are converted to triangles for rendering by the Polygon Object Processor. Triangle rendering provides numerous simplifications in the hardware since it is always planar and convex. All coordinate transformations, clipping, lighting, and initial triangle set-up is handled by the Media DSP using 32 bit IEEE floating point. During scan conversion, the Polygon Object Processor uses the linear equation parameters generated by the Media DSP to determine if the triangle is visible in the current chunk. The edge equations are also stored in the Primitive Registers until required by the Pre-Rasterizer and Rasterizer"; and image processing means for applying image defocusing processing at least locally to said display image data that represents an edge of said three-dimensional object based on said image area identification data, at the top of page 361 with "The Polygon Object Processor also supports translucent triangles, translucent textures, and triangle edge anti-aliasing, all of which fall outside of normal depth buffer operations. To properly compose pixels which are only partially covered, or have an alpha value less

than 1.0, the Talisman system has special anti-aliasing hardware, which is described below".

Claims 7 and 8 are similar to claim 1 but are directed to an image generating method using a computer (claim 7), and a computer-readable medium for use in a computer and storing a program (claim 8). Torborg et al. teach these at the

ABSTRACT:

With respect to claim 2, Torborg et al. teach the claimed display image generating means for generating display image data to be displayed on a screen based on information on at least one three-dimensional object disposed in a three-dimensional space and information on a viewpoint position, at page 359, at **Objects and Image Layers** with "As in a traditional 3D graphics system, objects are placed in the virtual environment by the application specifying their position, orientation, and scale relative to the coordinate system of the virtual environment. The transform engine uses this information, in conjunction with the viewpoint specification to construct the synthetic scene"; elemental image generating means for generating elemental image data that represents at least one figure and is applied to a surface forming said three-dimensional object and that draws at least one elemental image in an image area corresponding to said surface forming said three-dimensional object, starting at page 357 at **POLYGON OBJECT PROCESSOR**; synthesizing means for generating synthesized display image data to be displayed on said screen by synthesizing said generated elemental image

data with the display image data generated based on said information on the three-dimensional object, and image processing means for applying image defocusing processing at least locally to said synthesized display image data that represents an edge of said three-dimensional object, at the top of page 361 with "The Polygon Object Processor also supports translucent triangles, translucent textures, and triangle edge anti-aliasing, all of which fall outside of normal depth buffer operations. To properly compose pixels which are only partially covered, or have an alpha value less than 1.0, the Talisman system has special anti-aliasing hardware, which is described below", and at page 362 with the teaching of blur.

Claims 14 and 15 are similar to claim 2 but are directed to an image generating method using a computer (claim 14), and a computer readable medium for use in a computer and storing a program (claim 15). Torborg et al. teach these at the

ABSTRACT:

Torborg et al. teach the limitations of claim 3 which further requires the image generating apparatus according to claim 2, to include storage means for storing original texture map image data to be applied to said surface forming said three-dimensional object, at page 357 in the **Memory Use** table at Texture Data Storage, wherein said display image generating means generates the display image data, when generating the display image data, by applying the original texture map image data stored in said storage means to the surface forming the three-dimensional object, at page 360 at

Primitive Rendering with “As previously discussed, rasterization is split into two sections which are separated by several hundred clock cycles. This separation allows the first section (the Pre-Rasterizer) to determine which texture blocks will be required to complete rendering of the triangle. This information is sent to the Texture Cache Controller so that it can fetch the necessary data from the common memory system, decompress it, and move it into the specialized high-speed on-chip memory system used by the texture filtering engine, as described below. The second section, the Rasterizer, calculates the color, translucency, depth, and coverage information, and passes this to the Pixel Engine where it can be combined with the texture information to determine the output pixel color”.

With respect to claim 4, Torborg et al. teach the claimed image generating apparatus, comprising display image generating means for generating display image data to be displayed on a screen based on information on at least one three-dimensional object disposed in a three-dimensional space and information on a viewpoint position, at page 359, at **Objects and Image Layers** with “As in a traditional 3D graphics system, objects are placed in the virtual environment by the application specifying their position, orientation, and scale relative to the coordinate system of the virtual environment. The transform engine uses this information, in conjunction with the viewpoint specification to construct the synthetic scene”; elemental image generating means for generating elemental image data that is applied to a surface forming said three-dimensional object and that draws at least one elemental image in an image area corresponding to said

surface forming said three-dimensional object, starting at page 357 at **POLYGON OBJECT PROCESSOR**; synthesizing means for generating synthesized display image data to be displayed on said screen by synthesizing said generated elemental image data with the display image data generated based on said information on the three-dimensional object and image processing means for applying image defocusing processing at least locally to said synthesized display image data, at the top of page 361 with "The Polygon Object Processor also supports translucent triangles, translucent textures, and triangle edge anti-aliasing, all of which fall outside of normal depth buffer operations. To properly compose pixels which are only partially covered, or have an alpha value less than 1.0, the Talisman system has special anti-aliasing hardware, which is described below"; and at page 362 with the teaching of blur, and storage means for storing original texture map image data to be applied to said surface forming said three-dimensional object, at page 357 in the **Memory Use** table at Texture Data Storage, wherein said display image generating means generates the display image data, when generating the display image data, by applying the original texture map image data stored in said storage means to the surface forming the three-dimensional object, at page 360 at **Primitive Rendering** with "As previously discussed, rasterization is split into two sections which are separated by several hundred clock cycles. This separation allows the first section (the Pre-Rasterizer) to determine which texture blocks will be required to complete rendering of the triangle. This information is sent to the Texture Cache Controller so that it can fetch the necessary data from the common memory system, decompress it, and move it into the specialized high-speed on-chip

memory system used by the texture filtering engine, as described below. The second section, the Rasterizer, calculates the color, translucency, depth, and coverage information, and passes this to the Pixel Engine where it can be combined with the texture information to determine the output pixel color", and wherein said original texture map image data includes synthesizing area identification information for identifying an area, on which image data different from the original texture image can be synthesized, at page 357 at **POLYGON OBJECT PROCESSOR** with "Since polygons are processed in 32 x 32 chunks, triangle processing will typically not start at a triangle vertex. This block computes the intersection of the chunk with the triangle and computes the values for color, transparency, depth, and texture coordinates for the starting point of the triangle within the chunk", and said elemental image generating means determines a drawing position of the elemental image based on the synthesizing area identification information of said original texture map image data, at page 360 at **Primitive Rendering** with "The Talisman software provides the capability to render independent triangles, meshed triangles (strips and fans), lines, and points. All of these primitives are converted to triangles for rendering by the Polygon Object Processor. Triangle rendering provides numerous simplifications in the hardware since it is always planar and convex. All coordinate transformations, clipping, lighting, and initial triangle set-up is handled by the Media DSP using 32 bit IEEE floating point. During scan conversion, the Polygon Object Processor uses the linear equation parameters generated by the Media DSP to determine if the triangle is visible in the current chunk. The edge equations are also stored in the Primitive Registers until required by the Pre-

Rasterizer and Rasterizer".

With respect to claim 5, Torborg et al. teach the claimed image generating apparatus, comprising display image generating means for generating display image data to be displayed on a screen based on information on at least one three-dimensional object disposed in a three-dimensional space and information on a viewpoint position, at page 359, at **Objects and Image Layers** with "As in a traditional 3D graphics system, objects are placed in the virtual environment by the application specifying their position, orientation, and scale relative to the coordinate system of the virtual environment. The transform engine uses this information, in conjunction with the viewpoint specification to construct the synthetic scene"; elemental image generating means for generating elemental image data that is applied to a surface forming said three-dimensional object and that draws at least one elemental image in an image area corresponding to said surface forming said three-dimensional object, starting at page 357 at **POLYGON OBJECT PROCESSOR**; synthesizing means for generating synthesized display image data to be displayed on said screen by synthesizing said generated elemental image data with the display image data generated based on said information on the three-dimensional object, and image processing means for applying image defocusing processing at least locally to said synthesized display image data, at the top of page 361 with "The Polygon Object Processor also supports translucent triangles, translucent textures, and triangle edge anti-aliasing, all of which fall outside of normal depth buffer operations. To properly compose pixels which are only partially covered, or have an

alpha value less than 1.0, the Talisman system has special anti-aliasing hardware, which is described below", and at page 362 with the teaching of blur, and storage means for storing original texture map image data to be applied to said surface forming said three-dimensional object. at page 357 in the **Memory Use** table at Texture Data Storage, wherein said display image generating means generates the display image data, when generating the display image data, by applying the original texture map image data stored in said storage means to the surface forming the three-dimensional object, at page 360 at **Primitive Rendering** with "As previously discussed, rasterization is split into two sections which are separated by several hundred clock cycles. This separation allows the first section (the Pre-Rasterizer) to determine which texture blocks will be required to complete rendering of the triangle. This information is sent to the Texture Cache Controller so that it can fetch the necessary data from the common memory system, decompress it, and move it into the specialized high-speed on-chip memory system used by the texture filtering engine, as described below. The second section, the Rasterizer, calculates the color, translucency, depth, and coverage information, and passes this to the Pixel Engine where it can be combined with the texture information to determine the output pixel color", and wherein said elemental image data includes synthesizing area identification information that identifies an area, in which image data different from the elemental image can be synthesized, at page 357 at **POLYGON OBJECT PROCESSOR** with "Since polygons are processed in 32 x 32 chunks, triangle processing will typically not start at a triangle vertex. This block computes the intersection of the chunk with the triangle and computes the values for

color, transparency, depth, and texture coordinates for the starting point of the triangle within the chunk", said image processing means determines at least one portion, to which the image defocusing processing is applied, based on the synthesizing area identification information included in each of said elemental image data and said original texture map image data, and applies the image defocusing processing to said portion determined, at page 360-361 at **Texture Mapping, Hidden Surface Removal, and**

Anti-Aliasing

Torborg et al. teach the limitations of claim 6 which further requires said elemental image data or said portion, to which image defocusing processing is applied, is changed with time. Torborg et al. teach this at the **ABSTRACT**, with animation.

Claims 11, 12 and 13 require the same limitations as in claim 6, and are rejected under the rationale presented for claim 6.

Claim 9 further requires the display image data to be generated in accordance with the image generating method as claimed in claim 7. Torborg et al. teach this at the

ABSTRACT

Torbord et al. teach the limitations of claim 10 which further requires the image generating apparatus according to claim 4, wherein said elemental image data includes synthesizing area identification information that identifies an area, in which image data

different from the elemental image can be synthesized, at page 357 at **POLYGON**

OBJECT PROCESSOR with "Since polygons are processed in 32 x 32 chunks, triangle processing will typically not start at a triangle vertex. This block computes the intersection of the chunk with the triangle and computes the values for color, transparency, depth, and texture coordinates for the starting point of the triangle within the chunk", said image processing means determines at least one portion, to which the image defocusing processing is applied, based on the synthesizing area identification information included in each of said elemental image data and said original texture map image data, and applies the image defocusing processing to said portion determined, at page 360-361 at **Texture Mapping, Hidden Surface Removal, and Anti-Aliasing.**

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 8 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to computer readable medium for use in a computer and storing a program. However, the instant specification includes a server that delivers the program in the definition of a computer readable medium. A server delivers a program by using a signal or a waveform. Program signals and waveforms fail to fall within any of the four statutory classes of invention.

Art Unit: 2628

7. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R. Jankus whose telephone number is 571-272-7643. The examiner can normally be reached on M-F, 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AJ



ALMIS R. JANKUS
PRIMARY EXAMINER